

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2007 DEC 21 A 11: 53

U.S. DISTRICT COURT
DISTRICT OF MASS.

NEW ENGLAND CARPENTERS HEALTH
BENEFITS FUND; PIRELLI ARMSTRONG
RETIREE MEDICAL BENEFITS TRUST;
TEAMSTERS HEALTH & WELFARE FUND
OF PHILADELPHIA AND VICINITY;
PHILADELPHIA FEDERATION OF
TEACHERS HEALTH AND WELFARE FUND;
and DISTRICT 37 HEALTH AND SECURITY
FUND,

C.A. No. 1:05-CV-11148-PBS

Plaintiffs,

v.

FIRST DATABANK, INC., a Missouri
corporation; and MCKESSON CORPORATION,
a Delaware corporation,

Defendants.

**MOTION FOR APPROVAL OF APPLICATION OF MICHAEL F. FEELEY TO
APPEAR AND PRACTICE *PRO HAC VICE***

Kathleen M. McCarthy, in accordance with the provisions of Rule 83.5.3 of the Local Rules of the United States District Court for the District of Massachusetts, respectfully moves this Court for approval of the Application of Michael F. Feeley to appear and practice in this Court *pro hac vice*. In support of this Motion, Kathleen M. McCarthy states the following:

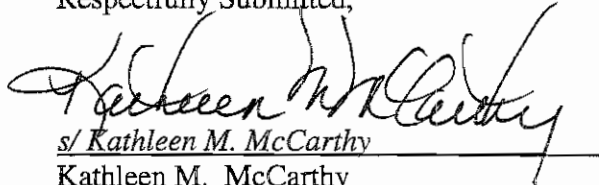
1. I am a member of the bar of the United States District Court for the District of Massachusetts.
2. The Certificate of Michael F. Feeley to Appear and *pro hac vice* is attached hereto and incorporated by this reference.

3. This Motion is made in order to enable Michael F. Feeley to appear before this Court for the purpose of filing a Motion for Leave to File Brief as *Amicus Curiae* in anticipation of the Fairness Hearing concerning the settlement proposal pending in this matter.

4. The party on whose behalf leave to file an amicus brief is Independent Pharmacy Cooperative (IPC), a member-owned cooperative located in Sun Prairie, Wisconsin. By letter dated August 1, 2007, IPC advised the Court of its intention to comment upon the proposed First Databank and Medi-Span settlement proposals. A copy of the August 1, 2007 letter is attached.

WHEREFORE, Kathleen M. McCarthy requests that the Court Grant the Application of Michael F. Feeley to appear and practice in this Court *pro hac vice*.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kathleen M. McCarthy", is written over a horizontal line.

s/ Kathleen M. McCarthy

Kathleen M. McCarthy

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CERTIFICATE OF SERVICE


I, Kathleen M. McCarthy, Esq. hereby certify that on the 21st day of December, 2007 I filed the Motion for Approval of Application of Michael F. Feeley to Appear and Practice Pro Hac Vice with the Clerk of Court and served a true copy of the same upon counsel of record via first class postage prepaid mail to:

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